Case 12-21377-reb Doc 1 Filed 04/11/12 Entered 04/11/12 12:43:03 Desc Main 4/11/12 12:41PM Document Page 1 of 13

B1 (Official Form 1)(12/11)								
United States Bankruptcy Court Northern District of Georgia						Voluntary	Petition	
Name of Debtor (if individual, enter Last, First, Back Porch, LLC	Middle):		Name	of Joint De	ebtor (Spouse	e) (Last, First,	Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):						Joint Debtor i trade names)	n the last 8 years :	
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) 27-3494641			IN Last fo	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)				
Street Address of Debtor (No. and Street, City, a 19 N. Chestatee Street Dahlonega, GA	and State):	ZIP Code	Street	Address of	Joint Debtor	(No. and Str	eet, City, and State):	ZIP Code
		30533						
County of Residence or of the Principal Place of Lumpkin				-		Ĩ	ce of Business:	
Mailing Address of Debtor (if different from str Post Offfice Box 462 Dahlonega, GA	eet address):	ZIP Code	Mailin	ng Address	of Joint Debt	tor (if differen	it from street address)	: ZIP Code
]	30533						
Location of Principal Assets of Business Debtor (if different from street address above):								
Type of Debtor		of Business		Chapter of Bankruptcy Code Under Which			ich	
 (Form of Organization) (Check one box) ☐ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. 	(Che Health Care B Single Asset I		1. C 1	Chapt	er 7	the Petition is Filed (Check one box)		
Corporation (includes LLC and LLP)	in 11 U.S.C. §		dernied	Chapt			apter 15 Petition for a Foreign Main Proc	
□ Partnership	Railroad			Chapt			apter 15 Petition for	e
□ Other (If debtor is not one of the above entities, check this box and state type of entity below.)	□ Stockbroker □ Commodity B	roker		Chapt			a Foreign Nonmain F	0
check this box and state type of entity below.)	Clearing Bank							
Chapter 15 Debtors	Other Other					Nature	of Debts	
Country of debtor's center of main interests:		empt Entity			,		one box)	,
	(Check be Debtor is a tax-	ox, if applicable	e) ration	Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as business debts.				
Each country in which a foreign proceeding by, regarding, or against debtor is pending:	under Title 26 o Code (the Intern	of the United St	ates	"incurr	ed by an indivi	idual primarily household purp	for	
Filing Fee (Check one box	.)	Check	one box:		Chap	oter 11 Debto	ors	
Full Filing Fee attached				tor is a small business debtor as defined in 11 U.S.C. § 101(51D). tor is not a small business debtor as defined in 11 U.S.C. § 101(51D).				
☐ Filing Fee to be paid in installments (applicable to	individuals only). Mu			a small busii	ness debtor as c	defined in 11 U	.S.C. § 101(51D).	
attach signed application for the court's considerat debtor is unable to pay fee except in installments.		_{icial} 🛛 I	Debtor's aggi				luding debts owed to ins	
Form 3A.		a			amount subject	t to adjustment	on 4/01/13 and every th	ree years thereafter).
☐ Filing Fee waiver requested (applicable to chapter		lust 🛛 🖉	all applicable A plan is beir		this petition.			
attach signed application for the court's considerat	on. See Official Form	^{3B.} □ A	Acceptances	of the plan w		1	one or more classes of a	creditors,
Statistical/Administrative Information		1		e with 11 0.5	S.C. § 1120(0).		SPACE IS FOR COUR	LUSE ONLY
Debtor estimates that funds will be available	for distribution to	unsecured cre	editors.			11115	STREE IS FOR COOR	COL CITET
Debtor estimates that, after any exempt prop there will be no funds available for distribution			ive expense	es paid,				
Estimated Number of Creditors								
1- 50- 100- 200-	1,000- 5,001- 5,000 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated Assets		п	_	_	п	1		
\$50,000 \$100,000 \$500,000 to \$1	\$1,000,001 \$10,000,00 to \$10 to \$50 million million	1 \$50,000,001 to \$100 million	\$100,000,001 to \$500 million	500,000,001 to \$1 billion				
Estimated Liabilities			_	_	_	1		
\$0 to \$50,001 to \$100,001 to \$500,001	\$1,000,001 \$10,000,00		\$100,000,001					
\$50,000 \$100,000 \$500,000 to \$1	to \$10 to \$50 million million	to \$100 million	to \$500 million	to \$1 billion	\$1 billion			

Case 12-21377-reb Doc 1 Filed 04/11/12 Entered 04/11/12 12:43:03 Desc Main 4/11/12 12:41PM

B1 (Official For	rm 1)(12/11) Document	Page 2 of 13	Page 2	
Voluntar	y Petition	Name of Debtor(s): Back Porch, LLC		
(This page mu	- ust be completed and filed in every case)	Back Foldi, LLC		
10	All Prior Bankruptcy Cases Filed Within Last	t 8 Years (If more than two, attach ad	ditional sheet)	
Location Where Filed:	- None -	Case Number:	Date Filed:	
Location Where Filed:		Case Number:	Date Filed:	
Pe	ending Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more than	n one, attach additional sheet)	
Name of Debt - None -	lor:	Case Number:	Date Filed:	
District:		Relationship:	Judge:	
	Exhibit A		hibit B	
forms 10K a pursuant to s and is reque	(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) (To be completed if debtor is an individual whose debts are primarily consumer debts.] I, the attorney for the petitioner named in the foregoing petition, declare that have informed the petitioner that [he or she] may proceed under chapter 7, 1 12, or 13 of title 11, United States Code, and have explained the relief availa under each such chapter. I further certify that I delivered to the debtor the nor required by 11 U.S.C. §342(b).			
	A is attached and made a part of this petition.	X Signature of Attorney for Debtor(s)	(Date)	
		libit C		
	Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No.			
Exhibit If this is a join	leted by every individual debtor. If a joint petition is filed, ea D completed and signed by the debtor is attached and made	a part of this petition.	separate Exhibit D.)	
	Information Regardin	-		
	(Check any ap Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for	al place of business, or principal asset		
	 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. 			
	Debtor is a debtor in a foreign proceeding and has its print this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or th sought in this District.	cipal place of business or principal ass s in the United States but is a defendar	sets in the United States in nt in an action or	
	Certification by a Debtor Who Reside (Check all app		ty	
	Landlord has a judgment against the debtor for possession		complete the following.)	
	(Name of landlord that obtained judgment)			
	(Address of landlord)			
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment			
	Debtor has included in this petition the deposit with the co after the filing of the petition.	ourt of any rent that would become due	e during the 30-day period	

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

Case 12-21377-reb Doc 1 Filed 04/11/1 B1 (Official Form 1)(12/11) Document	12 Entered 04/11/12 12:43:03 Desc Main 4/11/12 12:41P Page 3 of 13 Page 3
	Name of Debtor(s):
Voluntary Petition	Back Porch, LLC
(This page must be completed and filed in every case)	
Sign	atures
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b). I request relief in accordance with the chapter of title 11, United States Code,	 I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.) □ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached. □ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.
specified in this petition.	
X	X
Signature of Debtor	Signature of Poleign Representative
X Signature of Joint Debtor	Printed Name of Foreign Representative
Signature of Joint Debtor	
	Date
Telephone Number (If not represented by attorney)	Signature of Non-Attorney Bankruptcy Petition Preparer
Date	I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for
Signature of Attorney*	compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b),
X /s/ Herbert C. Broadfoot II Signature of Attorney for Debtor(s) Herbert C. Broadfoot II 083750 Printed Name of Attorney for Debtor(s)	110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.
<u>Ragsdale, Beals, Seigler, Patterson & Gray, LLP</u> Firm Name 2400 International Tower	Printed Name and title, if any, of Bankruptcy Petition Preparer
229 Peachtree Street NE Atlanta, GA 30303-1629	Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition
Address	preparer.)(Required by 11 U.S.C. § 110.)
Email: broadfoot@rbspg.com (404) 588-0500 Fax: (404) 523-6714 Telephone Number	
April 11, 2012	Address
Date *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	X
Signature of Debtor (Corporation/Partnership)	Date
I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.	Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above. Names and Social-Security numbers of all other individuals who prepared or
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	assisted in preparing this document unless the bankruptcy petition preparer is not an individual:
X /s/ Lester Lee Creef	
Signature of Authorized Individual	
Lester Lee Creef	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.
Printed Name of Authorized Individual	
Managing Member	A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in
Title of Authorized Individual April 11, 2012	fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.
Date	

Doc 1

IN THE UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF GEORGIA

IN RE: BACK PORCH, LLC.

Debtor

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Lester Lee Creef, declare under penalty of perjury that I am the Managing Member of Back Porch, LLC and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the 9th day of April, 2012.

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Lester Lee Creef, Managing Member of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a Chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that Lester Lee Creef, Managing Member of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that Lester Lee Creef, Managing Member of this Corporation is authorized and directed to employ Herbert C. Broadfoot II 083750, attorney and the firm of

-1-

Case 12-21377-reb Doc 1 Filed 04/11/12 Entered 04/11/12 12:43:03 Desc Main Document Page 5 of 13

Ragsdale, Beals, Seigler, Patterson & Gray, LLP to represent the corporation in such bankruptcy case."

Date: <u>April 9, 2012</u>

.

Signed: <u>/s/ Lester Lee Creef</u> Lester Lee Creef Managing Member

Filed 04/11/12 Entered 04/11/12 12:43:03 Document Page 6 of 13

Desc Main

B4 (Official Form 4) (12/07)

United States Bankruptcy Court Northern District of Georgia

In re Back Porch, LLC

Debtor(s)

Case No. Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [*or* chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Benjamin and Brenda Hughes 760 Crooked Creek Drive Dahlonega, GA 30533	Benjamin and Brenda Hughes 760 Crooked Creek Drive Dahlonega, GA 30533	Construction loan		30,000.00
Lumpkin County Tax Commissioner 90 Courthouse Hill, Suite E Dahlonega, GA 30533	Lumpkin County Tax Commissioner 90 Courthouse Hill, Suite E Dahlonega, GA 30533	Property Taxes - 19 N. Chestatee Street, Dahlonega, GA 30533		4,389.00
Mr. Jeff Laue Niche Cubed N(3) 6445 Powers Ferry Road Atlanta, GA 30339	Mr. Jeff Laue Niche Cubed N(3) 6445 Powers Ferry Road Atlanta, GA 30339	Construction Loan		50,000.00
Paul Carmody 447Moutain Top Lodge Road Dahlonega, GA 30533	Paul Carmody 447Moutain Top Lodge Road Dahlonega, GA 30533	Construction loan		100,000.00

Filed 04/11/12 Entered 04/11/12 12:43:03 Document Page 7 of 13

Desc Main 4/11/12 12:41PM

B4 (Official Form 4) (12/07) - Cont. In re Back Porch, LLC

Debtor(s)

Case No.

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, the Managing Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date April 11, 2012

Signature /s/ Lester Lee Creef

Lester Lee Creef Managing Member

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

B6 Summary (Official Form 6 - Summary) (12/07)

United States Bankruptcy Court Northern District of Georgia

In re

.

Back Porch, LLC

Debtor

Chapter_____11

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	1,500,000.00		
B - Personal Property	Yes	3	0.00		
C - Property Claimed as Exempt	No	0			
D - Creditors Holding Secured Claims	Yes	1		615,352.34	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	2		4,389.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	1		180,000.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	No	0			N/A
J - Current Expenditures of Individual Debtor(s)	No	0			N/A
Total Number of Sheets of ALL Schedu	ıles	10			
	T	otal Assets	1,500,000.00		
			Total Liabilities	799,741.34	

United States Bankruptcy Court

Northern District of Georgia

In re

.

Back Porch, LLC

Debtor

Case No.

Chapter 11

STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C.§ 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

□ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	
Student Loan Obligations (from Schedule F)	
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	
TOTAL	

State the following:

Average Income (from Schedule I, Line 16)	
Average Expenses (from Schedule J, Line 18)	
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	

State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column	
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	
 Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column 	
4. Total from Schedule F	
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)	

Case 12-21377-reb

B6 Declaration (Official Form 6 - Declaration). (12/07)

Doc 1 Filed 04/11/12 Entered 04/11/12 12:43:03 Des Document Page 10 of 13

Desc Main 4/11/12 12:41PM

United States Bankruptcy Court Northern District of Georgia

In re Back Porch, LLC

Debtor(s)

Case No. Chapter

11

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the Managing Member of the corporation named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 12 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date April 11, 2012

Signature /s/ Lester Lee Creef

Lester Lee Creef Managing Member

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

• •

United States Bankruptcy Court Northern District of Georgia

In re

Back Porch, LLC

Debtor

Case No.		
Chapter	11	

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007(a)(3) for filing in this chapter 11 case.

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
George E. Butler, Esq. 132 Hawkins Street Dahlonega, GA 30533	General	19.23%	Member
Lester Lee Creef PO Box 462 Dahlonega, GA 30533	General	80.67%	Managing Member

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the Managing Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date April 11, 2012

Signature /s/ Lester Lee Creef Lester Lee Creef

Managing Member

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C §§ 152 and 3571.

United States Bankruptcy Court Northern District of Georgia

In re Back Porch, LLC

Debtor(s)

Case No. Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the Managing Member of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: April 11, 2012

/s/ Lester Lee Creef

Lester Lee Creef/Managing Member Signer/Title

Case 12-21377-reb Doc 1 Filed 04/11/12 Entered 04/11/12 12:43:03 Desc Main Back DocumentLC Page 13 of 13

Benjamin and Brenda Hughes 760 Crooked Creek Drive Dahlonega, GA 30533

George E. Butler, Esq. 132 Hawkins Street Dahlonega, GA 30533

John Roberts, Esq. The Roberts Law Firm 462 East Paces Ferry Road NE Atlanta, GA 30309

Lumpkin County Tax Commissioner 90 Courthouse Hill, Suite E Dahlonega, GA 30533

Mr. Jeff Laue
Niche Cubed N(3)
6445 Powers Ferry Road
Atlanta, GA 30339

Paul Carmody 447Moutain Top Lodge Road Dahlonega, GA 30533

The Estate of Mary Lou Connor James A. Adam, Executor 319 Boulevard, NE Gainesville, GA 30503